Department of Human Services

Articles in Today's Clips Thursday, February 1, 2007

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State apologizes, clarifies: Abraham to get aid

February 1, 2007

BY FRANK WITSIL

FREE PRESS STAFF WRITER

An apologetic state official admitted Wednesday that some financial aid was promised to convicted killer Nathaniel Abraham and that mistakes were made in how that information was released.

"I apologize on behalf of the department," Marianne Udow, Department of Human Services director, said Wednesday in a conference call with reporters.

The disclosure apparently puts an end to an argument waged among attorneys and state and county officials in the media ever since Abraham, now 21, was set free Jan. 18.

Abraham, formerly of Pontiac, is the youngest person in Michigan ever charged as an adult with murder. At age 11, he shot and killed 18-year-old Ronnie Greene Jr. in front of a Pontiac store in 1997. Abraham was released from state custody one day before his 21st birthday after spending the last six months of his sentence at a Bay City halfway house.

Udow said her department agreed weeks ago to reimburse Abraham for his security deposit, first month's rent and other expenses for household necessities -- and will make good on that commitment, despite recent statements from the department that no such deal was in place.

She said Abraham would get about \$1,200 but did not know when he would be reimbursed.

Udow maintained, however, that the department did not make other promises.

State officials, Oakland County prosecutors and attorneys representing Abraham have clashed over what was promised Abraham in the way of state assistance and what was actually awarded him.

Even after Udow's statements Wednesday, the parties still seemed to be divided on what commitments were made. Abraham has yet to receive any financial assistance from the state.

Udow emphasized that what Abraham will get is what any other person being released from the court's jurisdiction could be eligible for under a state emergency services program based on certain low-income eligibility guidelines.

Udow said Wednesday that she had apologized to Oakland County Chief Deputy Prosecutor Deborah Carley for the confusion. Carley had said that the state agreed to a two-year commitment to pay for Abraham's rent at a Bay City apartment and up to four years of education at Delta College, which offers two-year degrees.

Carley did not return calls Wednesday to the Free Press.

Udow also said she apologized to Abraham's attorney, Daniel Bagdade, but had not yet spoken to Abraham, who is working as a janitor in the Bay City area.

Bagdade responded Wednesday that he was pleased the state was going to reimburse his client and described his telephone conversation with Udow as gracious. But, he said, he was still unclear exactly what the state had offered Abraham and expected to have more conversations with state officials to find out.

"I think there needs to be further discussions to find out whether there were other promises," he said.

Udow blamed miscommunication and confusion on "well-intentioned, different impressions" of

what was said at a Jan. 8 meeting that included Carley, Bagdade and Abraham, and during other conversations. Confusion about what was promised also had reached Gov. Jennifer Granholm.

"The governor found all of the news reports troubling and asked Director Udow for information and to report back," said Granholm spokeswoman Liz Boyd.

On Tuesday, state Rep. Kim Meltzer, R-Clinton Township, called for the state House Committee on Oversight and Investigations to hold a hearing to determine what promises were made to Abraham.

As of Wednesday, it had not been decided whether the committee will take up that issue.

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February 1, 2007

State admits offering Abraham cash

Human Services Dept. director apologizes for staff's misstatements after outcry over convict getting funds.

Jennifer Chambers / The Detroit News

After first confirming -- then denying -- that it gave Nathaniel Abraham housing assistance after his release, the state of Michigan is now again admitting it agreed to give the convicted murderer \$1,200 in state funds.

Marianne Udow, director of the Michigan Department of Human Services, held a conference call Wednesday with members of the media to try to end confusion regarding what she characterized as misstatements by her staff about services promised to Abraham upon his release from a second-degree murder sentence.

Abraham was 11 when he shot and killed a man in Pontiac. He was sentenced to nearly 10 years of juvenile rehabilitation and was released Jan. 18.

Udow said Gov. Jennifer Granholm has asked for a full report on what promises the DHS made in the case. Udow said she has apologized to Granholm, Abraham, Chief Deputy Prosecutor Deborah Carley and defense lawyer Daniel Bagdade for what she called misunderstandings.

Bagdade and Carley told The Detroit News the day of Abraham's release that the state had ordered Abraham be given two years of free rent and up to four years of college tuition under a pilot program designed for older foster care youths.

A department spokesman confirmed later that day to The Detroit News that the state was paying for Abraham's security deposit and first month's rent at a Bay City apartment. The next day, after statewide public outcry, the state denied it was providing Abraham any such services.

"In the first communication the information was accurate. Then we modified it. It wasn't accurate. It was a mistake," Udow said.

Carley said Wednesday she is disappointed in the department and the governor's office for trying to shift the blame of their mistake onto her. She said she is pleased a state representative from Clinton Township called for special hearing by the Michigan House into what promises the state made to Abraham.

"Taxpayers deserve to know what the department promised and what they offered and to know how our money is being spent," she said.

Udow denied the state offered Abraham education assistance.

"It was a case where people were trying to find him help and they were brainstorming ideas and they didn't fully investigate them," Udow said

Bagdade said Wednesday that state officials told Abraham to pay the deposit and rent and purchase household goods and that he would be reimbursed.

"He hasn't seen one penny. These representations were made to him and he had to pay out of his own pockets," he said.

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Published February 1, 2007

State will pay \$1,200 toward murderer's rental costs

DHS: Abraham not getting free tuition, long-term housing

Associated Press

The state of Michigan has committed to provide about \$1,200 worth of rental housing assistance to a man recently released from prison after serving his sentence for a murder committed at age 11, state officials said Wednesday.

Nathaniel Abraham, 21, was released from state custody on Jan. 18.

He had served a juvenile sentence for second-degree murder for the 1997 rifle-slaying of 18-year-old Ronnie Greene in Pontiac.

The Michigan Department of Human Services has denied reports that the state offered Abraham services that include long-term, taxpayer-paid housing and college tuition through a foster care pilot program.

Department Director Marianne Udow held a Wednesday afternoon teleconference with media to try and end confusion about what the state did and did not offer Abraham.

Udow said the state of Michigan has committed to pay a security deposit and the first month's rent for Abraham.

Abraham has not received the money yet.

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Nate getting only \$1,200, state says

Of The Oakland Press

The director of the Michigan Department of Human Services said Wednesday that Nathaniel Abraham, the youngest person in the state charged as an adult with murder, was never to receive money for college or two years of housing after his release.

Abraham was released from state custody Jan. 16 after serving a juvenile sentence for his second-degree murder conviction.

A firestorm of controversy surrounded reports of what he would receive.

Marianne Udow, director of the state's human services department, said the total value of services provided to Abraham is \$1,200.

That covers the first month's rent for his Bay City apartment, the security deposit and some basic household items, Udow said. A payment will be made to reimburse Abraham for having paid for these things.

"That is the kind of thing that we typically would give kids leaving the juvenile justice system," she said.

In a conference call with news media, Udow said she was disappointed about miscommunication between her department and attorneys involved in the case, which she said resulted in "a lot of confusion" about what Abraham was to be provided.

Udow also said a Human Services spokeswoman's claim that her agency had made no agreements for any housing provisions was inaccurate.

Udow said she will report to Gov. Jennifer Granholm about what had been promised and how misinformation about services available spread from attorneys to the media.

After Abraham's release, which was mandated by his turning 21 in January, attorneys said they believed Abraham was to receive two years of housing, as well as a free college education.

"Stories have been out in the media that have had some bad information, some confusing information and some notaccurate information," Udow said. "First and foremost, the state has not provided nor made any commitment to provide to Nate Abraham four years of college."

She said he would be eligible for tuition assistance and food stamps just like any other low-income resident.

Oakland County Chief Deputy Prosecuting Attorney Deborah L. Carley said earlier that after meeting with state officials Jan. 8, she understood the state intended to use resources available to foster children to provide for Abraham.

Abraham's attorney, Daniel Bagdade, said previously that he was unable to get a clear answer about what was to be given to Abraham.

Bagdade, who also attended the Jan. 8 meeting, said last week that he feared the state was backtracking from its promises.

Reached in Chicago on Wednesday afternoon, Bagdade said Abraham was never clear on what services would be available.

"He knew that there was some aid and some assistance coming," Bagdade said, but "he was not sure" exactly what.

Bagdade said Udow was gracious in explaining the miscommunication, but he wants to find out why it happened.

"An investigation needs to be made into what promises DHS made to Nathaniel prior to that Jan. 8 meeting," he said.

Udow admitted the presentation of after-custody options may have been confusing or misstated. She said "wellmeaning people interpreted things that may not have been accurate."

Carley, who was critical of what she believed was offered, was not available for comment.

"I apologize on behalf of the department for the confusion that occurred," Udow said. "I think reasonable people could have left that meeting with different interpretations. We should have been crystal clear."

Udow said she has left a message for Abraham and will apologize directly to him for the confusion.

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http://www.theoaklandpress.com/stories/020107/loc 2007020124.shtml

January 31, 2007

UDOW: ABRAHAM ONLY GETTING ASSISTANCE WITH HOUSING

The Department of Human Services misspoke when it said that Nathaniel Abraham, the youngest person to be convicted for murder under state law who was recently released, was not receiving assistance with his housing when officials previously said he was, but the department did not make commitments to fund Mr. Abraham's education at anytime, DHS Director Marianne Udow said Wednesday.

Mr. Abraham has been promised a reimbursement for his rental deposit, first-month's rent and some home supplies totaling \$1,200, Ms. Udow said, which is coming from the state's emergency services program that is available for low-income residents.

The state is not paying for any higher education for Mr. Abraham nor is it paying for any extended housing beyond the first month agreement, Ms. Udow said, but Mr. Abraham is able to apply again for emergency services in the future if his income and other factors meet eligibility standards.

Ms. Udow said that officials also believe Mr. Abraham will qualify for food stamps, but besides that, he has not applied for any state-run programs through the department.

"There has been a lot of confusion in public discussion," she said during a conference call with the media. Ms. Udow also said that Mr. Abraham has mentors and DHS caseworkers who are volunteering their time to assist him in his transition from the juvenile justice system.

In recent media reports, people who sat in on meetings with DHS regarding Mr. Abraham's

case said that they came away with an understanding that educational and housing services would be part of the recovery plan for the now 21-year-old. Ms. Udow said she had talked with those people and that while they are good intentioned, she believed that they simply misunderstood what was actually going to Mr. Abraham once he left incarceration.

Ms. Udow said she has apologized to those people for the department saying Mr. Abraham was not receiving the \$1,200 reimbursement, as well as to Mr. Abraham and Governor Jennifer Granholm, who has asked the director for her findings in regard to the communication breakdown.

Ms. Udow said officials had garnered a lot of information in recent days and that she would be continuing to talk to people, including the governor, on the matter. She said she was not aware of any other problems such as this with other cases handled by DHS.

Also on Wednesday, the chair of the House Oversight and Investigations Committee said he was waiting on information from Ms. Udow regarding what the state offered to Mr. Abraham, before he decides what further steps should be sought in reviewing the state's actions.

Rep. Kim Meltzer (R-Clinton Township) recently requested that House Speaker Andy Dillon (D-Redford) order a special hearing on the matter.

DHS recently sent a memo to lawmakers explaining the state's involvement with Mr. Abraham now that he is a free man, when media reports surfaced that he was receiving free housing and college tuition (See Gongwer Michigan Report, January 24, 2007).

Majority Floor Leader Steve Tobocman (D-Detroit), who chairs the panel, said he had not seen Ms. Meltzer's letter but had wished she had discussed it with him before going to the media. He said there were already inquiries into the state's involvement and that he was told Ms.

Udow had further information for him that was forthcoming.

Mr. Tobocman said lawmakers want to make sure government is running efficiently and effectively, but that also in reviewing the state's criminal justice system that people in situations, such as Mr. Abraham's (he was convicted at age 11), have the opportunity to become productive members of society once they are released.

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February 1, 2007

Oprah gets Abraham to apologize to family

Jennifer Chambers / The Detroit News

What Michigan's juvenile justice system, dozens of lawyers and social workers and nearly \$1 million tax dollars could not do in a decade, Oprah Winfrey did in mere minutes: elicit a face-to-face apology from Nathaniel Abraham to the family of the victim of his crime.

Abraham's lawyers have discouraged one-on-one media interviews for the convicted murderer, saying continued public scrutiny could hinder the 21-year-old's efforts to transform from a locked-up criminal to a free man.

But according to Abraham's attorney, Daniel Bagdade, the lure of Oprah Winfrey and the power of her national stage proved too much for Abraham, who traveled to Chicago with plans to tape a show Wednesday with the internationally known talk-show host.

Hours before the taping, Abraham entered Winfrey's private office, where the family of murder victim Ronnie Greene Jr., 18, sat on a couch. Bagdade, who witnessed the exchange, said Winfrey "kind of mediated the apology."

Bagdade declined to describe exactly what was said out of respect for the Greene family, but he did say the apology was moving. Family members could not be reached for comment.

"It was very riveting. Nate's story was not on camera today. We ended up doing the apology in Oprah's office. It was incredible. It was absolutely incredible," Bagdade said from Chicago.

The taping never took place. A spokeswoman for Winfrey's Harpo Production Co. said that Bagdade revoked Abraham's consent to appear on the show.

Abraham was 11 in 1997 when he murdered Greene, and 13 when an Oakland County jury convicted him of second-degree murder. He walked away from state custody Jan. 18 after completing his sentence in juvenile detention.

Greene's family had maintained that Abraham never apologized. Abraham has made general apologies in court and in writing but the exchange Wednesday was the first face-to-face meeting for the Pontiac man and the victim's family.

Bagdade said Greene's sister, Nichole Edwards, and his mother, Robin Adams, along with three other family members were present for the apology.

Chief Deputy Prosecutor Deborah Carley said the Greene family notified her victim services unit that the family would be traveling to Chicago to appear on the nationally syndicated show.

Carley said she did not talk to family members about why they had decided to appear on the show, but after learning that the taping did not occur she said she thought it was for the best.

"It's so soon. I don't know if it would have been in anybody's best interest," Carley said. "If it resulted in the apology to the victim's family, that is all that matters, anyway."

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Published January 31, 2007

State lawmaker seeks hearing on aid to freed young killer

Midday update

By the Associated Press

LANSING - A state representative has called for a hearing to look into what help Michigan officials promised to Nathaniel Abraham after he finished serving a sentence for a murder he committed at age 11.

Rep. Kim Meltzer, a Republican from Macomb County's Clinton Township, wrote to House Speaker Andy Dillon requesting that the House Committee on Oversight and Investigations examine what promises, if any, the state Department of Human Services made to Abraham.

Abraham, 21, was released from state custody Jan. 18, gaining freedom for the first time since his arrest for the 1997 rifle-slaying of 18-year-old Ronnie Greene in Pontiac. He served a juvenile sentence for second-degree murder.

Human Services spokeswoman Karen Stock denied reports that the state gave Abraham a twoyear commitment for services. She told The Detroit News that department officials would be happy to explain their actions to the House committee.

Abraham lawyer Daniel Bagdade said his client did not receive help that state officials promised him.

Bagdade said Abraham expected to be reimbursed for \$1,000 he spent on an apartment, rent and household goods for his new home in Bay City.

"He's very upset they made promises to him, and they are reneging," Bagdade told the Detroit Free Press.

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Ludington 8th grader expelled for bringing loaded gun to school

LUDINGTON, Mich. An eighth-grade student from Ludington has been permanently expelled from the city's school district after police say he brought a loaded gun to school to shoot three teachers.

The school board voted yesterday to expel the 14-year-old boy.

The revolver was discovered inside a backpack stored in his locker on January 15th after teachers were notified by other students.

The boy has been charged with carrying a concealed weapon and carrying a dangerous weapon with unlawful intent. He's expected to appear in Mason County Juvenile Court in two weeks.

He's currently being held at a juvenile detention facility in Ottawa County.

(Alan Neushwander, WKLA)

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THURSDAY FEBRUARY 1, 2007 Last modified: Wednesday, January 31, 2007 2:53 PM EST

Sex abuse case hits setback

The lawsuit against Adrian Training School by a former facility resident is to be delayed briefly.

By Dennis Pelham

Daily Telegram Staff Writer

ADRIAN — A lawsuit by a former Adrian Training School resident seeking damages for sexual abuse at the facility in 2003 hit a setback Monday that her attorney said will cause only a minor delay.

The Michigan Department of Human Services, which operates Adrian Training School, was dismissed from the lawsuit in Lenawee County Circuit Court. An identical complaint against the state agency over the sex abuse case is still pending in the Michigan Court of Claims and is expected to be assigned to Lenawee County next month to be handled along with the lawsuit against two Adrian Training School employees, said attorney Scott Rooney of Dearborn.

The case against the Department of Human Services should be back before Judge Timothy P. Pickard for a pretrial hearing that was adjourned to March, said Rooney.

Former training school youth specialist Joe Eddie Tindall and his former supervisor, Donald Howard, remain defendants in the lawsuit filed here in September.

Tindall is accused of sexually harassing and abusing the woman who brought the suit when she was a 14-year-old resident of the facility in Adrian. Tindall was charged in 2004 with a dozen criminal sexual conduct counts and accused of abusing six female residents at the youth facility. He pleaded guilty to a single count of second-degree criminal sexual conduct and was sentenced by Pickard in July 2004 to a 38-month to 15-year prison term.

Howard and the Department of Human Services are charged in the lawsuit brought by one of the victims with gross negligence, failing to adequately train and supervise Tindall and violating the girl's right to not be subjected to abuse.

"You're talking about minor children who were receiving care from this institution, and they were placed in an extremely dangerous and at-risk situation," Rooney said. The lawsuit is seeking compensation for economic losses and emotional distress caused by the sexual abuse, he said.

Exclusive jurisdiction for a complaint seeking money damages against a state agency is the Michigan Court of Claims, argued assistant Michigan Attorney General Dawn Jack in a motion to dismiss the Department of Human Services from the suit in Lenawee County Circuit Court.

Pickard agreed with the motion at a hearing Monday.

The same lawsuit has already been filed with Court of Claims and it is expected that case will be assigned to Pickard along with the surviving lawsuit against Howard and Tindall.

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The attorney general's office is also defending Howard in the lawsuit.

Tindall is representing himself and mailed his response to the lawsuit from prison, denying he sexually abused the woman who is suing him.

"Defendant denies these allegations, in part because he never sexually assaulted or sexually harassed anyone while under his supervision at Adrian Training School," Tindall wrote in his response.

He asked Pickard to appoint an attorney to defend him against what he called a "frivolous action."

Michigan courts do not appoint defense attorneys for defendants in civil lawsuits.

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Article published Feb 1, 2007

Program for female offenders on hold

By Dan Meisler

DAILY PRESS & ARGUS

Court officials know there's a need for a day-treatment program for teenage girls involved in drug abuse and crime, and money has already been allocated — but getting it going is proving to be harder than expected.

Court officials received no bids for a contract to provide the program late last year, according to a memo from Circuit Judge Stanley J. Latreille to the Livingston County Board of Commissioners.

The court-ordered program is intensive, with individual and group counseling, community service, in-home family visits, and close monitoring of educational attendance and progress, said program director Scott Montgomery. It is used as an alternative to sending offenders to group homes, which is more expensive.

"What we try to do is have the gentlemen look at their behavior, and the changes they can make," he said.

Brighton Township resident Jill Kupfer's son went through the program more than a year ago, and she said it improved his outlook and behavior.

"I think his experience was very beneficial," she said. "He was held accountable ... My only regret is that my son didn't stay in longer."

The male program is operated by Hartland Community Education out of the former high school on Highland Road (M-59), and the juveniles are taken out of their regular schools and enrolled in the Legacy Alternative High School, Montgomery said.

The organization received the contract for the boys program. The girls side was bid out twice, and Hartland Community Education submitted a proposal the first time. But when the court decided to bid it out again, the group chose not to submit another bid.

One of the major issues in starting up a female program has been keeping the sexes separated. A female program was ended years ago because of problems with mixing the boys and girls.

Montgomery said Hartland Community Education's bid would have participants separated by gender in most instances, except for in the vans transporting the kids to the program, and in Legacy classes, where all the day-treatment students would be mixed in with the school's general population.

He said the mixing issue wasn't brought up when the initial bid wasn't accepted. He added that the organization decided not to bid on the female side the second time in order to make sure it kept the contract for the boys side.

"We wanted to make sure we didn't lose the boys program," he said.

Kathy Oemke, the Circuit Court attorney referee, said talks with potential service providers have begun.

"We don't really know why it is we didn't get any bids on the girls program," she said. "We're trying to see if we can't get a program together."

The contract for the boys side, which has slots for 12 boys, will cost \$221,000 for the first nine months of the year, then close to \$300,000 for each year after that. The contract runs through September 2008.

Oemke said the programs are paid for by the Child Care Fund, half of which comes from the state, half from the county.

She said the goal of the day-treatment program is to avoid placing juvenile offenders in residential placement settings, which can cost \$150 per day.

"We definitely need a girls program," Montgomery said. "If we can play any part in supporting that, we'd be willing to look at it again ... It saves taxpayers a lot of money. The cost here compared to (group home) placement is at least half."

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Article published Jan 31, 2007

Raisinville Township mother charged in abuse case

The Raisinville Township mother of a 7-month-old baby, who suffered a skull fracture during an assault, remains in jail on felony child abuse charges.

Brenda Erwin, 22, of 473 Ida-Maybee Rd., was charged with second-degree child abuse and was arraigned before First District Judge Terrence Bronson. Bond was set at \$10,000 and the defendant could not post it.

The charge stems from an assault on the woman's son, who police said was slammed against a wall. The baby suffered a skull fracture and internal bleeding. He was discharged from an Ann Arbor hospital Tuesday.

According to Monroe County sheriff's Detective Dave Davison, Ms. Erwin and a relative took the baby to a clinic, which contacted authorities.

Department of Human Services also is investigating. Ms. Erwin's preliminary examination is set for 3 p.m. Feb. 8 before Judge Mark S. Braunlich.



THE BAY CITY TIMES

Mother of drug-addicted baby could face charges

Thursday, February 01, 2007

By TOM GILCHRIST

TIMES WRITER

BAD AXE - His name is Anthony, and police say he came into the world as a drug addict, fighting withdrawal symptoms since his birth on Jan. 17.

His 25-year-old mother could be battling criminal charges in court, if prosecutors make a case.

"The \$64,000 question is: Can she be prosecuted for having a drug-addicted baby?" said Huron County Prosecutor Mark J. Gaertner.

"We are not finding a statute to hang our hat on, but we're still looking," Gaertner said.

Huron County Probate Judge David L. Clabuesch on Wednesday allowed the mother, Allison Miller of Owendale, to make supervised visits to Anthony, in foster care since doctors released him from a hospital Friday.

Clabuesch could decide at a Feb. 14 hearing whether Miller or the baby's father, Anthony M. Spencer of Bad Axe, are fit to raise their child.

Baby Anthony weighed 5 pounds, 15 ounces at birth. Gaertner said medical tests done on the infant showed presence of opiates, barbiturates and cocaine. Huron County Sheriff Kent D. Tibbits said the baby also tested positive for the active ingredient found in marijuana.

Police interviewed Miller in December when she was eight months pregnant, and said she admitted an addiction to pain medications and that she smoked marijuana twice a week.

Anthony Spencer, 27, remains in the Huron County Jail awaiting trial on four drug charges connected with a

Dec. 6 raid on an apartment Spencer and Miller shared near Bad Axe.

Prosecutors allege Spencer is a habitual offender, and he faces up to 30 years in prison if convicted of the most serious charge, possession of less than 25 grams of cocaine.

The Times could not reach Spencer's lawyer, Bad Axe attorney James N. Woodworth, for comment.

When Huron County Sheriff's Department officers executed a search warrant at the apartment in December, they reported finding crack cocaine, marijuana, a variety of prescription pills and cocaine.

They also reported finding Spencer, Miller and two Port Austin men there, along with smells and sights indicating drug use.

"It's their opinion drugs had been used that night," said Gaertner, who continues talking with detectives regarding possible charges against Allison Miller or the Port Austin men in connection with the Dec. 6 raid.

The Times could not reach Miller or her attorney, Bad Axe lawyer Christopher J. Boyle, for comment.

Following Anthony Miller's birth, prosecutors said baby Anthony's body made jittery movements, and his extremities jerked when touched or as he slept, due to drug-withdrawal symptoms. The baby's body

stiffened when handled by a caregiver, according to a petition filed by Huron County Assistant Prosecutor Elizabeth V. Weisenbach.

Anthony's breaths were quick and shallow, he vomited and cried frequently, and had difficulty feeding, chewing on the nipple of a bottle rather than sucking on it.

Hospital workers placed the baby in an oxygen tent in a dimly lit room to ease withdrawal symptoms.

Seventeen years ago, prosecutors in Muskegon County charged a woman with delivery of less than 50 grams of cocaine - to her newborn baby - after the woman admitted smoking crack cocaine less than 13 hours before giving birth.

A state Court of Appeals ruled in favor of the woman, deciding that cocaine use by a pregnant woman was "not the type of conduct (state legislators) intended to be prosecuted under the delivery-of-cocaine statute."

Last week, Huron County Circuit Court Juvenile Officer/Referee Dan Quinn ordered Allison Miller to submit to random urine and breath tests, as well as counseling, until further order of the court.

If drug levels in Miller's body decrease and if no new drugs show up in her system, Quinn said baby Anthony could be returned to the child's maternal grandmother, Kathleen M. Miller of Owendale, provided the state Department of Human Services doesn't object to such a condition.

Results of drug tests done on Miller on Friday had not come back to county officials as of Wednesday, Quinn said.

Prosecutor Reene said he has asked state Rep. Terry Brown of Pigeon about proposing new legislation to protect a fetus against drug use by its mother.

A lawyer appointed for the baby, Harbor Beach attorney Dawn A. Schumacher, said she wants the baby kept with foster parents "until I'm satisfied that the baby's safe."

Schumacher said she'd like the mother to visit the child - under supervision by a third party such as a police officer or foster parent - in the coming days.

"To motivate a mother to want to care, she needs to see what's at stake," Schumacher said.

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Girl, 5, rescues siblings from fire

Of The Oakland Press

INDEPENDENCE TWP. - A 5-year-old girl is being called a hero after she got her three younger siblings out of their Independence Township house when the stove started smoking.

The children had been left alone by their mother.

Independence Township Assistant Fire Chief Bob Elizondo said the children were briefly home alone Tuesday night in the 5300 block of Hillcrest, which is off Mann Road near the border with Waterford Township.

He said a neighbor walking down the street saw the girl, a toddler-age child and a high chair in the front yard.

The neighbor is believed to have called emergency workers.

When they arrived, four children were outside and light smoke was coming from the house.

Just then, their mother pulled up after a trip to pick up a couple of items at a CVS pharmacy.

Elizondo said the woman had started cooking food before leaving.

The girl got all of her siblings out of the house herself.

"The little 5-year-old became a hero," Elizondo said.

No one was injured. There was some smoke damage inside the house.

Because the children were too young to be left alone, Oakland County Undersheriff Michael McCabe said the agency notified the Department of Human Services.

The sheriff's office is also conducting its own investigation, the results of which will be turned over to prosecutors.

The children are staying with their grandmother.

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Michigan group plans second summer camp for queer youth

by Katie Dettman

LGBT youth and allies ages 13-17 from around the country will have a place to hang out with their peers and develop leadership and activism skills this summer. During the week of August 14-19, for the second summer in a row, Michigan's Triangle Foundation is coordinating Camping.OUT, an LGBT youth summer camp that was offered for the first time last year.

This will be the first time the camp will be offered to youth from all over the country and an early bird registration offer is currently available for interested participants.

"The idea [for the camp] has been in development for several years, but it came directly from GLBT youth," explained Greg Varnum, youth initiatives coordinator at Triangle Foundation and Camping.OUT director. "Young people have also been involved with the development and planning of the camp since day one."

The Triangle Foundation is Michigan's largest statewide anti-violence organization serving the LGBT communities.

The summer camp offers a variety of activities.

"Our camp offers campers the opportunity to decide what programs they want to participate in each day," said Varnum. "They may decide to go swimming or canoeing in the morning, for example, and then have a group conversation about leadership facilitated by a nationally-known GLBT activist in the afternoon. The young people who attended last year's camp loved the format, but most importantly they loved the freedom to be open and out – to play, to think out loud together, to relax, and be themselves. The camp will provide a welcoming and accepting place for youth to have fun, make friends, and expand their leadership and activism skills."

Camping.OUT will take place at an established youth summer camp facility in northern Michigan.

Varnum explained: "The goal of our camp is to create a safe space for gay, lesbian, bisexual, transgender, and allied youth where they can develop the skills and confidence necessary to become community leaders, empower them to become more involved in their community and allow them to participate in fun outdoor camp activities."

All camp volunteers must go through a Michigan Department of Human Services-approved hiring process, which includes filling out an application, participating in an interview, and undergoing a background check. Camp counselors, many of whom were between the ages of 18 and 24 last year, participate in training where they learn about leading activities and facilitating community leadership development activities.

The camp hosted about a dozen campers last year, had a staff of about 24, and hosted about 12 outside presenters from the LGBT community. Triangle Foundation is in the process of raising funds for scholarships to pay the cost of youth who have financial need. The camp will be able to accommodate 50 campers this year.

The camp is running an early bird registration special of \$475 through March 1. Registration is \$525 after March 1. No young person will be turned away for lack of funds, said Varnum.

"Right now, we're focused on taking it one year at a time, but our future plans will depend on what GLBT youth tell us they would like to do," said Varnum. "We are already getting suggestions for adding additional weeks to the camp or offering multiple sessions."

For more information on Camping.OUT, or to make a donation to help an LGBT or allied youth to attend, visit http://www.campingout.org or contact Greg Varnum at greg@tri.org or (313) 537-3323, ext. 108.

02/01/2007



KALAMAZOO GAZETTE

Encouraging news on health-care front

Wednesday, January 31, 2007

Gov. Jennifer Granholm's efforts to provide health-care benefits to 550,000 people in Michigan are showing some promise of succeeding.

However, there's a long way to go in dealing with a much larger challenge -- 47 million Americans without any health insurance.

Yet, any sign of progress is good news. Granholm met Monday with Michael O. Leavitt, secretary of the U.S. Department of Health and Human Services. The governor said that the most difficult part of the problem is who pays for what. Medicare, a federal program under the Social Security system, is designed to cover people 65 and over. Medicaid, supported by state and federal funds, is aimed at citizens of all ages who cannot afford the cost of health care.

Nevertheless, Granholm expressed encouragement. ``We're not quite there yet," she said, ``but we hope in the near future we can have an announcement."

The Granholm administration's plan is at odds with a recent proposal by President Bush to make the cost of employer-provided benefits taxable to employees who receive them. Bush views as unfair the current law that exempts employees from paying taxes on their employers' health-care plans, while those without those benefits have to purchase insurance on their own and have no such exemption. But as we have said, the Bush initiative's chances of making it through Congress are slim.

Granholm acknowledges the inequity of the taxing system. However, she said that there could be other means of leveling the playing field without taxing the so-called ``gold-plated" plans that many Michigan citizens have as part of their employee benefits.

We hope that Granholm and the Bush administration can reach agreement on her plan. Other states are making progress in implementing similar proposals. Granholm made a good point in suggesting that providing health insurance to those who can't afford it will ultimately reduce Medicaid costs for federal and state governments.

Meanwhile, the health-care crisis in America continues. The danger of catastrophic financial loss among those without health-care insurance is a fast-growing concern.

State and federal leaders who drag their feet on this issue will do so at their own political peril.

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The homeless count in thousands; the solutions too few

February 1, 2007

Every morning I'd pass him, asleep on the sidewalk outside Joe Louis Arena, as I walked to work from my downtown condo. Sometimes he would awake and start packing his stuff on a large wheeled cart, and we would greet each other. But I never knew his name or heard his story. When the auto show opened, he was gone, bumped out of sight by an image-conscious city. But for the commuters who had walked by him every day, he was practically invisible.

There are thousands like him in metro Detroit, and more than half live outside shelters -under bridges, in parks, inside vacant buildings. Last Thursday night, the Homeless Action
Network of Detroit tried to count them, using nearly 200 volunteers in its Every Person Counts
campaign. HAND won't have a tally for a couple of weeks, but the city alone has probably
15,000 homeless people. Their numbers are growing as jobs and affordable housing dry up.

The homeless count, required by the U.S. Department of Housing and Urban Development, helps set federal and state funding for local services. But numbers alone don't mean much. If they did, we would have wiped out the problem years ago. We know there are three-quarters of a million homeless people in the United States. The problem persists because most people feel it's not their problem.

On a freezing night, I saw dozens of people huddled in doorways, on street corners, outside gas stations and under freeway viaducts. I'm sure some of them never thought they'd be there either.

My fellow editorial writer Nichole Christian and I were part of a team that counted the homeless in Detroit's Cass Corridor and handed out sandwiches, hand warmers, cups, toothbrushes and information cards. Our crew included director Ronald Riggs and managers Carl Carter and Patricia Willis of Neighborhood Service Organization's 24-hour walk-in center. It also included two NSO clients, Derrick Walkins and Elmer (Chili) Kaigler. Their stories might surprise you.

Walkins, 46, owned his home and had a good job as an assistant manger in a home improvement store. In 1995, he was shot and disabled, his elbow shattered and hip fractured, when he tried to help a friend who was getting robbed. Walkins hasn't worked steady since. He moved to a flat next to a drug house for \$475 a month but couldn't pay the rent.

Kaigler, 60, lost his job in a packing factory in 2003. With failing health and only an eighthgrade education, he can't find a steady job either.

For Walkins, Kaigler and hundreds like them, the NSO center in the Cass Corridor is the last stop and, possibly, first step to a new life. It's a spot to eat, shower, wash and store clothes, get medical care, pick up mail, talk to counselors and get help finding jobs and services.

Some of the homeless are mentally ill; others have a history of drug abuse and incarceration. Most will get back on their feet soon, but others will shuttle between shelters and the streets for years.

To meet the goal of ending homelessness in 10 years, we need to know how many homeless people are out there, but we also need to know, understand and care about them. If we don't, the numbers won't matter. They'll be as easy to forget as the man on the sidewalk I passed on the way to work.

JEFF GERRITT is a Free Press editorial writer. Contact him at <u>gerritt@freepress.com</u> or 313-222-6585.

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Article published Feb 1, 2007

Stalking Remains a Vexing Problem

By Greg Migliore NEWS STAFF WRITER

Stalking.

Eight letters spelling terror for one in 12 women.

The shadowy crime is common in Michigan, and Deputy Police Chief Thomas Lindberg acknowledged Novi is no different. At the moment, the police department does not have any ongoing stalking investigations, but Lindberg said when it does arise, it usually goes hand-in-hand with domestic violence.

"It's a relationship and an emotionally-based situation," he said.

There were 27,000 incidents of stalking or intimidation reported in Michigan in 2005, the most recent year available, the Michigan Department of Human Services (DHS) said. Stalking has been a crime in the state since 1993. Though it more commonly affects woman, one in 45 men are victims at some point during their life.

Stalking is seldom a one-and-done situation, Lindberg said. Usually, it's a string of incidents, such as e-mails, phone calls, notes or other ploys. Often, the stalking stems from the break up of a marriage or other intimate relationship. The DHS said 77 percent of women and 64 percent of men knew their stalkers.

While some situations escalate, person-to-person contact is rare, Lindberg said.

"Chances are they're (stalkers) cowards and really afraid to confront things," he said.

Technology has also helped stalkers, who now employ global positioning systems and other advanced devices, said Sarah Heuser, a director of the Michigan Domestic Violence Prevention and Treatment Board.

"There are all kinds of technologies stalkers use," she said.

Victims, however, can fight back with personal protection orders, Heuser said.

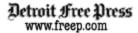
"That is very helpful," she said. "It's a pretty strong protection."

It's also critical, Heuser said, to notify authorities of stalking quickly, so they can document incidents and build a case.

Stalking can end many ways, and Lindberg said in some cases, the stalkers simply lose interest. Some, however, escalate. The DHS said 76 percent of female murder victims were stalked the year before they were killed.

For first-time offenders, stalking is a misdemeanor and punishable by not more than one year in jail, a \$1,000 fine or both. The crime can be increased to a felony if the victim is under 18 and the stalker is at least five years older than the victim, which also increases the jail time and fines.

Greg Migliore is a staff writer for the Novi News. He can be reached at (248) 349-1700, ext. 103 or gmigliore@gannett.com.



Fund cut would leave poor in cold

February 1, 2007

BY JERRY NORCIA

While Michigan has enjoyed a relatively mild winter, this past week's snow and freezing temperatures have provided a frigid reminder that the real Old Man Winter will still be with us for a while. As we reach for our thermostats to take the edge off, remember that the cost of home heating is more than just a strain on the budget for millions of American families.

Despite the fact that natural gas prices are lower this winter than they've been the past two years, the cost of home heating is still beyond the reach of many families on fixed or limited incomes. This is particularly true in an economically challenged state such as Michigan, where many low income and working class families face a difficult choice each winter between paying for heat, paying for medical care or paying for food.

Fortunately, there's a federally funded program for families most in need, the Low Income Home Energy Assistance Program. Sadly, LIHEAP funding has not kept pace with inflation or demand.

LIHEAP was enacted by Congress in 1982, and provides federal money to offset the cost of heating bills for low- and fixed-income families. Since the program's inception, however, consumer prices have risen by 126%, and about 90% more households are eligible for federal aid.

In 2006, Congress appropriated \$3.2 billion to help needy families. This year -- with roughly 1 million additional households eligible for assistance -- Congress is proposing to cut \$1 billion from LIHEAP. That would translate to about \$50 million less for low-income families in Michigan.

Almost half a million of Michigan's most vulnerable residents receive this assistance. A majority of these households include elderly or disabled individuals, or have young children living in the home. In many other cases, LIHEAP recipients are working, retired or disabled people with incomes below the poverty level.

LIHEAP funding should be increased, not cut.

Nationally energy companies provide more than \$1.7 billion in annual assistance to needy families. In Michigan, DTE Energy and MichCon contribute to organizations such as The Heat and Warmth Fund (THAW), and work with our customers to determine if they are eligible for payment assistance. Still, it is not enough.

As we prepare for the remainder of this winter season, we hope Congress will do its part to help those who are most vulnerable to the high costs of heating their homes. By increasing funding for LIHEAP, Congress can help low- and fixed-income citizens cope with the cold without sacrificing life's other necessities.

JERRY NORCIA of Northville is executive vice president of MichCon. You can write to him at norciai@dteenergy.com.

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Hundreds in need line up in cold to try for housing help

Thursday, February 01, 2007

By Michael Buck

CHRONICLE STAFF WRITER

Sandra Conley wants her own space.

She doesn't like the cramped apartment she's currently sharing with her aunt and cousin. The apartment isn't even hers. For Conley, it's just a place to stay for awhile.

Conley was one of several hundred people who came to two sites in the Muskegon area Wednesday to apply for rental assistance or housing grants from the Michigan State Housing Development Authority.

"Every adult needs a place of their own to stay," said Conley, 49. "I'm homeless and I need a place."

At the Louis A. McMurray Conference and Transportation Center in Muskegon Heights, people were in line well before applications were being taken at 11 a.m. At the M-TEC in Muskegon, building organizers said people were lined up at 9:15 a.m.

"There's going to be a lottery, so you don't have to stick around if you don't want to," Roxane Hiler told those in line at the M-TEC building. Hiler is an employee of Newaygo County Community Services Center for Nonprofit Housing, a company that contracts with the state housing authority to handle administration of housing aid.

The state was offering housing grants for verifiably homeless people and money for people struggling to pay their rent. But Wednesday's event was only to take applications, not distribute money to the many people who are in financial need.

Twenty grants will be awarded to homeless applicants after state housing officials verify their situation. Homelessness is defined by the state as being without a place to live for at least 28 days, and registered in a homeless assistance program for the same length of time.

A permanent waiting list will be established for other homeless people to get housing assistance as more funds become available.

There were no immediate grants for residents seeking assistance with current rental payments. Their names will go into a pool and will be drawn randomly to go on a waiting list for assistance.

Most of the people who came to apply said they have fallen on hard times and getting back on their feet in Michigan's strained economy hasn't been easy.

Conley has bounced from family member to family member and hasn't worked in three years. But she said she has learned from the experience and is ready to make a change. What she found is difficulty surrounded by red tape.

"It's hard," she said. "They have so many stipulations ... for even just McDonald's."

Desundra Burch found herself strapped for cash even with a job. "I don't know how to make it day to day," said Burch, of Muskegon Heights.

Burch, a single mother of two, is working part time at a day care and is living in "an apartment that I'm trying to get out of as soon as possible."

Angela Hooper, of Muskegon, called her application for housing aid "a last-ditch effort."

"I don't know what I am hoping for," Hooper said. "Word on the street is that it takes a long time to get aid even if you're picked."

Hooper is a mother of six, though her three youngest are in foster care because she doesn't have heat where she lives now.

Part of the reason for the large turnout between the two locations is that the state housing authority hasn't taken applications for housing aid in Muskegon County for some time.

"This is a big crowd because applications haven't been taken since 2001," said Lisa Dove, a resource specialist for MSHDA.

Hiler said that when NSSC Center for Nonprofit Housing was preparing to take application, they estimated 3,000 people would show up.

The official number of applications taken won't be available until next week, said Lisa Kemmis, another housing authority worker. Her guess was that 3,500 applications were given out.

Kemmis said the crowd isn't necessarily an indicator of the state's economy.

"There's obviously a need in Muskegon County," Kemmis said. "I wouldn't be able to estimate how many people we saw yesterday will get aid in the next year."

The rental assistance lottery closed Wednesday, but homeless people can call Newaygo County Community Services Center for Nonprofit Housing at (800) 379-0221.

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Apropos Still Looking Into Over Expenditures

MIRS, January 31, 2007

The Senate Appropriations Committee urged state departments today to tell the Legislature of any over expenditures before the end of the fiscal year, as opposed to overshooting a budget and coming back to the Legislature afterwards with its hand out.

The committee heard three hours of testimony from the Department of Corrections (DOC), the State Police (MSP) and the Department of Human Services (DHS) about why neither the three departments nor the Budget Office report over expenditures for Fiscal Year (FY) 2006 until last November.

The DOC went over by \$19.6 million and the MSP went over by \$6.6 million. The DHS went \$42.9 million over its appropriation, but had a net over expenditure of \$30.7 million. The combined total of over appropriations for FY 06 was \$69.1.

To pay for these over expenditures, the departments need a budget supplemental. Without the supplemental, vendors that work with the departments will lose out on \$5.5 million that they're owed by the state, which could end up in several court cases.

But, before they get that supplemental, the Legislature wants to know why it wasn't notified of the over expenditures sooner.

In November, the Budget Office notified the Legislature about the over expenditures. However, all of the department heads who testified in front of the committee, said they knew — to some degree — of the over expenditures last spring.

Republican committee members asked each department head why, if they knew they might be over budget in the spring, the Legislature wasn't notified until the fall.

According to state law, the departments have to notify the Budget Office when they're over budget. The OSB then notifies the Legislature. All of the department heads took responsibility for the over expenditures, but said that they really can't pin down over expenditure numbers until the fall.

Senate Fiscal Agency (SFA) Director Gary **OLSON** noted that the FY 2006 over expenditures is extremely uncommon. It's not uncommon for departments to exceed line-item appropriations. However, they usually make up for the over expenditure with other line items that came under the estimated appropriation.

This year marks the first year that three departments couldn't balance line-item over expenditures with other line items that came under the appropriation.

Each department head gave a lengthy explanation as to why they went over the appropriation. The DOC had unforeseen increased health costs and an increase in prisoners that it hadn't anticipated. This was due in large part, to parolee Patrick **SELEPAK** going on a killing spree. After he killed three people, the department tightened up parole procedures and was more careful with parolees, which resulted in an increase in prison population.

"Had health care or population not been out of whack, we would have been OK," said DOC Director Patricia CARUSO.

The MSP also ran into unforeseen costs, including a hike in gas costs that it hadn't forecasted. MSP Director Col. Peter **MUNOZ** took full responsibility for the department's over appropriation.

DHS Director Marianne **UDOW** explained that the DHS didn't go over its appropriation, but did go over budget by \$30 million. This happened because the department had a higher-than-expected caseload,

collected less money in child support than was expected and didn't get the federal funding it anticipated.

Caruso and Udow reminded the Committee that each department had told the Legislature that they thought they might go over department appropriations in the summer when they asked for supplemental appropriations.

Republican committee members repeatedly asked why these departments didn't give them specific numbers or notify them in writing of the problem. Caruso and Udow said it's simply too difficult to give numbers that far out because departmental funding is so complicated.

Budget Director Bob **EMERSON** also testified. He pointed out that the Legislature was privy to the over expenditures well before November.

"I don't think the Legislature was kept in the dark about this," Emerson said.

He agreed that they weren't given definitive numbers. He echoed the sentiments of the department directors, stating that it's very difficult to get numbers early in the year.

He also pointed out that his department has made some changes to prevent future over expenditures. These include requiring departments to OK new hires and staff raises with Emerson and requiring the departments to report on their financial states on a monthly rather than a quarterly basis.

Emerson said he plans on letting the Legislature know what's going on in the departments as soon as he knows.

Sen. Valde **GARCIA** (R-Howell) asked if there should be a penalty for departments that go over their appropriations. It's against the Constitution for departments to do this, but departments don't get punished for doing it.

"I think the Senate ought to dismiss the budget director," Emerson said. "I would appreciate that very much."

Seriously though, Emerson said he didn't know, but would be willing to talk to the Legislature about the issue in further detail.

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State Departments Questioned After Overspending

Jan 31, 2007 04:26 PM EST

Budget issues are taking center stage at the State Capitol. The senate appropriations committee is listening to testimony from three separate departments who were called in to explain their overspending for the last fiscal year.

The Department of Human Services spent nearly 43-million more than their intended budget, the Department of Corrections is looking at an overture of 19.6 million dollars and the Michigan State Police are facing over-expenditures of 6.6 million bucks.



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STATE OF MICHIGAN MICHIGAN DEPARTMENT OF HUMAN SERVICES LANSING



News Release

Contact: Maureen Sorbet or Karen Stock (517) 373-7394

Oakland County gets toll free number to receive abuse reports

January 31, 2007

The Michigan Department of Human Services in Oakland County has implemented a dedicated, toll-free telephone number to better handle reports of suspected adult or child abuse and neglect.

The number, **1-866-975-5010**, is intended for the exclusive use of reporting incidents of suspected abuse or neglect of adults and children in Oakland County. Other DHS Oakland County matters related to foster care, child placements, adoptions, adult services or assistance programs should be directed to the clients' regular contacts.

The new number was implemented to create faster response times, to address the growing number of abuse complaints and to assist mandated reporters and others who must promptly report cases of suspected child abuse and neglect. This number is for the exclusive use of reporting abuse and neglect issues for Oakland County only. Reports of abuse and neglect outside of Oakland County should continue to use the telephone number listed in their community directories. As always, emergencies should be reported to 911 for immediate action.

For more information, go to www.michigan.gov/dhs

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STATE OF MICHIGAN MICHIGAN DEPARTMENT OF HUMAN SERVICES LANSING



News Release

Contact: Maureen Sorbet or Karen Stock (517) 373-7394

February 1 is National Earned Income Tax Credit Day in Michigan

Tax credit helps working families move toward self-sufficiency

February 1, 2007

LANSING – Governor Jennifer M. Granholm has proclaimed February 1 as Earned Income Tax Credit Day in Michigan.

"The EITC is a proven anti-poverty tool that makes the difference for Michigan's working families," said DHS Director Marianne Udow. "Gov. Granholm's proclamation helps more people learn about this critical support in their efforts to become self-sufficient."

Depending on a person's income and number of dependents, the federal EITC can reach a maximum of \$2,700 for families with one child and \$4,700 for families with two or more children. Almost 90 percent of the federal EITC is paid to taxpayers as a tax refund, and the new Michigan EITC will provide additional assistance to these working families.

A recent evaluation of Michigan's EITC use by the Michigan EITC Initiative showed an increase from 2005 to 2006. The number of EITC returns generated at free tax preparation sites nearly doubled, some 3,580 in 2005 to 7,082 in 2006. The average EITC refund increased from \$850 in 2005 to \$1,057 in 2006.

The National Center for Children in Poverty includes the federal EITC as a key support for Michigan's working low-income families in its November 2006 report "Struggling Despite Hard Work: Low-Income Families in Michigan and Detroit."

"Michigan's children also will benefit from increased use of the federal EITC and the new state EITC as their caregivers and parents are able to provide for their family's needs." Udow said.

Michigan enacted a state earned income tax credit (Senate Bill 453 of 2006) as part of an agreement to restore overtime exemptions that would have expired in October. Under the agreement, working families are eligible to receive a percentage of the federal EITC. The credit rewards work by providing assistance to low- and moderate-income working families in Michigan who are eligible for phased-in percentages of the federal EITC, starting with 10 percent for 2008 and increasing to up to 20 percent in 2009.

Michigan's EITC Initiative is a partnership between the Office of the Governor, departments of Human Services, Treasury, Labor and Economic Growth, Internal Revenue Service, Accounting Aid Society, Michigan Association of CPAs, Michigan Community Action Agency Association, Michigan State University, and many local agencies and organizations.

For more information about the EITC filing or to find free tax preparation sites, go to www.michiganeic.org

For more information go to www.michigan.gov/dhs

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